

PROB. 12B
(7/93)

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

United States District Court

for the

DISTRICT OF HAWAII

FEB 26 2007

at 2 O'clock and 50 min. P.M. J
SUE BETIA, CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: LEO SILVA,
aka "Psycho" and "Ryan Lauulu"

Case Number: CR 00-00106HG-02
CR 01-00135HG-02

Name of Sentencing Judicial Officer: The Honorable Helen Gillmor
Chief U.S. District Judge

Date of Original Sentence: 7/5/2002

Original Offense: **Criminal No. CR 00-00106HG**

Conspiracy to Possess With Intent to Distribute in Excess of
50 Grams of Methamphetamine, a Schedule II Controlled
Substance, in violation of 21 U.S.C. § 846, a Class A felony

Criminal No. CR 01-00135HG

Conspiracy to Possess With Intent to Distribute and Distribute in
Excess of 5 Kilograms of Cocaine and 50 Grams of Cocaine Base,
in violation of 21 U.S.C. § 846, a Class A felony

Original Sentence: One hundred and twenty-one months (121) imprisonment and five
(5) years supervised release as to CR 00-00106HG-02 and
CR 01-00135HG-02, all such terms to be served concurrently with
the following special conditions: 1) The defendant shall participate
in a substance abuse program, which may include drug testing at
the discretion and direction of the Probation Office; 2) The
defendant is prohibited from possessing any illegal or dangerous
weapons; and 3) The defendant shall provide the Probation Office
access to any requested financial information.

Type of Supervision: Supervised Release

Date Supervision Commenced: N/A

PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

- 4) *The defendant shall submit to a warrantless search of his person, residence, vehicle, or place of employment, at a reasonable time and in a reasonable manner, based upon a reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition.*

CAUSE

The subject is currently completing his term of incarceration. Our office received a letter from the District of Alaska (D/AK) Probation Office indicating that the subject has requested to reside in their district upon his release from custody (tentatively scheduled for 2/3/2008). The subject reportedly intends to permanently reside in the D/AK.

The D/AK conditionally accepted the subject's case contingent upon the imposition of a warrantless search condition. As a result, we respectfully recommend that the Court modify the conditions of supervised release. The additional special condition will aid in the subject's supervision once released from custody.

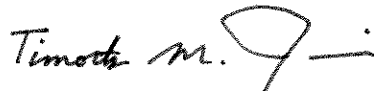
Attached is a signed Waiver of Hearing to Modify Conditions of Supervised Release. The subject waives his right to a hearing and to assistance of counsel. The subject agrees to the modification of the conditions of supervised release. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed modification and have no objections to the modification.

Respectfully submitted by,



ALYSA K. MAKAHANALOA
U.S. Probation Officer Assistant

Approved by:




TIMOTHY M. JENKINS
Supervising U.S. Probation Officer

Date: 2/23/2007

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other



HELEN GILLMOR
Chief U.S. District Judge

2.23.07

Date

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
District of Hawaii

U.S.A. v Ryan Lauulu
AKA Leo Silva

Docket No. 00CR00106-002

I, Ryan Lauulu, have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my conditions of supervised release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my conditions of supervised release or to the proposed extension of my term of supervision:

The defendant shall submit to a warrantless search of his person, residence, vehicle, or place of employment, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition.

Signed:

Ryan Lauulu
Ryan Lauulu, AKA Leo Silva
Probationer or Supervised Releasee

Date:

1-25-07

Witness:

Terry Alexander
Terry Alexander
Case Manager, Bureau of Prisons

Date:

1-25-07